

Ethical Standards of Psychologists and Code of Conduct of the Federation of Swiss Psychologists

I. Introduction

The Federation of Swiss Psychologists (FSP) issues the Ethical Standards of Psychologists and Code of Conduct (hereinafter referred to as the Ethics Code) for the protection of the public against harmful conduct by psychologists (FSP Bylaws Section 4.12). The fundamental objective of the FSP Ethics Committee appointed by the FSP Delegates' Conference shall be to uphold adherence to the Ethics Code. The FSP Ethics Committee, as the first instance, is authorized to investigate allegations of unethical conduct and to impose sanctions for violations of the Ethics Code (FSP Bylaws Section 40).

The principles set forth in the FSP Ethics Code reflect the many areas of responsibility that are entailed in the professional roles of psychologists in research, teaching, and practice, and apply especially to professional activities in contexts where that responsibility affects the people with whom psychologists work – individuals, clients, groups, organizations, study participants, students.

The Ethics Code provides individual Federation members with guidelines for professional conduct, promotes the building of an ethical consensus within the FSP, and serves as the basis for the processing of complaints concerning alleged violations of the Ethics Code.

Membership in the FSP commits each member to comply with the Ethics Code and the rules and procedures used to enforce it. Individual members, member associations, and particularly also educational institutions as well as institutions providing professional training and continuing education are responsible for making public the Ethics Code, both in its basic principles and its specific rules and regulations.

II. Ethical Standards

1. Responsibility

FSP members bear responsibility for professional conduct, in the knowledge that psychologists' activities affect the lives of others and society.

- 1.1 In their professional conduct, psychologists take care to do no foreseeable or avoidable harm.
- 1.2 Psychologists undertake appropriate measures to prevent any misuse of their services or products by third parties that violates the Ethics Code.
- 1.3 Psychologists do not provide services that are outside the boundaries of their professional competence or that violate the Ethics Code.
- 1.4 Psychologists are obligated to honesty and truthfulness.
- 1.5 If the demands of an organization for whom psychologists are working result in a conflict of loyalty between obligations to the employer and to this Ethics Code, psychologists must make decisions on their own responsibility. If their decisions violate the Ethics Code, psychologists shall inform the employer and the FSP Ethics Committee.

2. Professional Competence

Responsible professional practice demands personal and professional competence. FSP members undertake ongoing efforts to maintain and develop their knowledge and skills.

They provide services only within the boundaries of their competence.

- 2.1 FSP Members assure the quality of their professional conduct through ongoing continuing education and training, supervision, and other appropriate measures.
- 2.2 For tasks beyond the boundaries of their competence, psychologists call in professionals with the relevant expertise.
- 2.3 If personal problems or conflicts, such as illness or lack of objectivity, impair adequate performance of their professional functions, psychologists take appropriate measures.

3. Handling of Confidential Information

FSP members have a primary obligation to uphold professional confidentiality and to actively protect confidential information obtained in their work.

- 3.1 Psychologists handle information that they obtain through their professional activities with strict confidentiality.
- 3.2 With the prior appropriate consent of the persons concerned, psychologists may disclose confidential information.
- 3.3 Psychologists disclose confidential information without the consent of the individual only where authorized by law for a valid purpose. In that case, psychologists inform the individual concerned of the disclosure and communicate the reason for and content of the disclosed information. In judicial proceedings, psychologists consider the option of refusing to give evidence.
- 3.4 Psychologists take steps to prevent third party access to all documents that contain confidential information, or to ensure that they have completely disguised all personally identifiable information contained in such documents.
- 3.5 Psychologists store and retain records that pertain to their clients for 10 years and then destroy them, subject to contrary legal or institutional regulations.

4. Professional Relations

FSP Members commit themselves to respectful professional relationships. They ensure that the relationships are clarified and do not discriminate against the persons or institutions concerned.

- 4.1 Psychologists respect the dignity and integrity of all people with whom they stand in a professional relationship; in particular they respect the rights of individuals to self-determination and self-responsibility.
- 4.2 Psychologists do not exploit vulnerabilities or dependencies that exist in their professional relationships with clients.
- 4.3 Psychologists desist from all conduct towards clients that is sexual in nature. Following the termination of psychotherapy or other treatment, this prohibition remains in effect for an additional period of 2 years during which no therapy sessions are conducted.
- 4.4 Psychologists provide information to their clients openly and accurately as to the nature, objectives, and limits of their services. They inform the client of their intended procedures and, where requested, provide the client with access to the client's files. In doing so, psychologists must also protect the interests of third parties.

- 4.5 When psychological services are mandated or ordered by third parties, psychologists inform the individual concerned of the mandate or order before proceeding to provide the services.
- 4.6 Before proceeding to provide psychological services, psychologists conclude clear agreements specifying compensation and billing arrangements.
- 4.7 Psychologists' fee practices are consistent with the FSP Guidelines for Fee Practices.

5. Advertising

When announcing their services, FSP members are committed to honesty, objectivity, and appropriateness.

- 5.1 Psychologists do not make unclear, incorrect, or misleading statements concerning their basic and continuing education and training, professional competence, academic degrees, or credentials.
- 5.2 Psychologists do not impose their services on others, and they do not make unrealistic claims regarding the success of treatment, counseling, or learning.

6. Personal Commitment to the Ethics Code

Membership in the FSP commits members to comply with the ethical principles and standards of the FSP as set forth in the FSP Bylaws and the FSP Ethics Code.

- 6.1 FSP members are required to cooperate fully with the Ethics Committee in investigations of complaints about their conduct. They provide all pertinent information and contribute towards clarification of the matter. In doing so, they observe the standards on the Handling of Confidential Information (see Standard 3).

The German text of the FSP Ethical Standards and Code of Conduct shall prevail in case of doubt.

This Ethical Standards and Code of Conduct was approved by the FSP Delegates' Conference on November 16, 1991, and revised by FSP Delegates' Conferences on March 31, 1995, November 14, 1998, and June 1, 2002.

Complaints against FSP members may be submitted to the following address:
Berufsordnungskommission FSP
Choisystr. 11, 3000 Bern 14

III. Rules and Procedures for Processing of Complaints by the FSP Ethics Committee

1. Authority of the Ethics Committee

The Ethics Committee (hereinafter 'the Committee') is in charge of investigating and resolving complaints brought against FSP members.

The Committee is composed of a Chair and four to six Committee members, of whom one is a member or a representative of the FSP Executive Committee.

The Committee takes steps to ensure a balanced representation of the sexes and the language regions. Committee members are elected by the FSP Delegates' Conference for a term of office of two years. Committee members may be re-elected.

A quorum consisting of three Committee members when duly assembled is qualified to

decide by vote. All decisions shall be by a simple majority vote of those elected members present.

If in a matter a lack of objectivity or conflict of interest interferes with a Committee member's effectiveness in performing Committee duties, the member withdraws from participation in the matter.

2. Reasons for Complaint

Allegation of a violation of the Ethics Code by an FSP member can be brought in a complaint.

3. Persons Entitled to File a Complaint Alleging Violation of the Ethics Code

Complaints may be filed by persons whose interests, namely their personal rights and interests as protected by the Ethics Code, have been directly harmed due to a violation of the Ethics Code.

When a member appears to have violated the Ethics Code and the violation is of sufficient gravity or is a continuing violation, the FSP Executive Committee or the Executive Committee of a member association of the FSP shall direct the Ethics Committee to initiate a complaint sua sponte. The Executive Committee is not party to the dispute.

Complaints must be filed within ten years after the alleged conduct occurred.

4. Procedure for Filing Complaints

Complaints must be submitted in writing to the Chair of the Committee. Complaints must contain the respondent FSP member's personal data and a description of the alleged violation of the Ethics Code. Materials and documents pertinent to clarifying the matter should be submitted together with the complaint.

5. Initiation of Proceedings

The Committee shall evaluate each complaint in form and content and decide if the criteria for further proceedings are met.

If the Committee decides that the matter shall be closed, the complainant is so notified and the rationale stated.

If the Committee agrees that cause for action exists, the Chair forwards the complaint to a member of the Committee and charges the member with leading proceedings.

The member leading the proceedings checks the completeness of the submitted complaint and, if necessary, makes a request to the complainant for written supplementation.

6. Personal Rights, Consent to Disclosure of Confidential Information

The personal rights of all participants in or persons affected by the proceedings must be protected. In accordance with the requirement of confidentiality, all information concerning the proceedings shall be confidential.

In every proceedings conducted it shall be guaranteed that the respondent member is granted release from professional secrecy or official secrecy when responding to the Committee or to the FSP Board of Appeals.

7. Respondent Response

The Committee shall notify the respondent of and provide the respondent with a copy of the complaint. The respondent shall have 30 days from receipt of these materials to file a response.

8. Further Investigation

Upon receiving the respondent's response, the Committee may proceed to investigate further and, where needed, to seek and obtain expert opinions.

As a rule, the Committee conducts a hearing with the parties.

9. Complaint Resolution by the Committee

If the Committee finds upon completion of the proceedings that the respondent has not violated the Ethics Code, or if the evidence to support a finding of an ethics violation is considered to be insufficient, the Committee may dismiss the complaint.

If the Committee finds that the respondent has violated the Ethics Code, the Committee shall take one of the following actions: seek a settlement between the parties or issue sanctions or directives.

10. Available Sanctions and Directives

The Committee can impose the following sanctions and directives as outlined in FSP By-laws Section 40:

- a) Reprimand
- b) Fine: Monetary payment up to Fr. 20,000.-
- c) Temporary suspension of FSP membership
- d) Expulsion from FSP

The Committee can defer the sanctions. In the place of sanctions, or in addition to a sanction, the Committee may mandate the following directives:

- e) Education, training, or tutorial requirement
- f) Supervision requirement

In addition, the Committee may disclose to the responsible supervisory authorities and boards any ethics violations deemed to be grave.

Monetary payments collected shall be used by the FSP for ethics purposes.

When issuing sanctions, the Committee shall consider the gravity of the violation and the culpability of the respondent member. Prior or repeated violations of the Ethics Code aggravate the culpability of the member and make more severe sanctions appropriate. The willingness of the respondent member to compensate for damages incurred, to avoid future violations through suitable measures, and to comply with the recommendations and mandates of the Committee mitigate culpability and make less severe sanctions appropriate.

11. Notification of Resolution by the Committee

The Committee shall notify the respondent and the complainant of the resolution of a complaint in writing. This notification shall state the rationale for the Committee's actions.

If the sanction mandated by the Committee is temporary suspension of FSP membership or expulsion from the FSP, the Committee shall notify the Executive Committees of the member associations of which the respondent is a member and shall notify the FSP Executive Committee.

If the sanction mandated by the Committee is a fine, the Committee shall notify the FSP Executive Committee.

12. Request for Formal Hearing

The respondent may exercise his or her right to appeal to the FSP Board of Appeals by requesting a hearing in writing within 30 days of notification of the Committee's resolution of a complaint. If a complaint has been dismissed, the complainant has the same right to a formal hearing by the FSP Board of Appeals.

13. Archiving of Case Files

After a matter is closed, the proceedings files shall be sealed. The Committee maintains a directory of closed proceedings that contains the names of the respondent members, the date of the complaint resolution, and a note indicating whether the resolution was dismissal of the complaint or a finding of violation of the Ethics Code.

Filed complaints that do not lead to the decision to open proceedings shall be destroyed.

For a period of 10 years after a matter is closed, the Committee has the authority to consider sealed files in connection with any further complaints filed against a respondent member.

10 years after a matter is closed, the proceedings files shall be transferred to the Swiss Federal Archives and the corresponding entries shall be removed from the directory of closed proceedings. At the Swiss Federal Archives, access to the files is blocked for a period of 50 years. The files are released for historical research purposes exclusively.

The Chair of the Ethics Committee bears responsibility for the archiving of ethics process files.

14. Committee Members' Requirement of Confidentiality

Ethics Committee members are bound to the rules of professional confidentiality during and after their term of office.

15. Report of Activities

The Ethics Committee submits annual reports of its activities to the Delegates' Conference. The reports must ensure strict protection of the personal rights and interests of all persons participating in or affected by ethics proceedings.

The German text of the FSP Ethical Standards and Code of Conduct shall prevail in case of doubt.

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